

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
GERSON PEREZ, et al.,

Plaintiffs,

-against-

DE DOMENICO PIZZA & RESTAURANT,  
INC., et al.,

Defendants.  
-----X

WEXLER, District Judge:

ORDER

CV 14-7236

(Wexler, J.)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ JUL 11 2016 ★

LONG ISLAND OFFICE

By Report and Recommendation ("R&R") dated May 31, 2016, Magistrate Judge Arlene R. Lindsay recommended that Plaintiffs' motion to strike certain affirmative defenses in Defendants' answer be denied. *See* R&R, Docket Entry ("DE") [65]. The R&R was filed on the Court's ECF system on May 31, 2016, and expressly reminded the parties that objections must be filed with the Court within fourteen days. That time has passed, and no party has filed any objections to the R&R or sought an extension of time to do so.

To accept a magistrate's R&R absent a timely objection, the Court need only be satisfied that there is no clear error on the face of the record. *See* FED. R. CIV. P. 72(b); *Baptichon v. Nevada State Bank*, 304 F. Supp. 2d 451, 453 (E.D.N.Y. 2004), *aff'd*, 125 F. App'x 374 (2d Cir. 2005). As the time to file objections has passed, and a careful review of the R&R finds no plain error, the R&R is hereby adopted. *See* 28 U.S.C. §636(b)(1); FED. R. CIV. P. 72. The motion to strike, DE [57], is denied.

SO ORDERED.

  
LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York  
July 11, 2016